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Cont'd

said transaction management means performs processing relating to the transaction on the basis of said attribute data every time said data package is received by said data server means or said data utilization means.

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A copy of the marked up amended claims is attached to this response showing the changes as set forth in 37 C.F.R. § 1.121.

### REMARKS

Claims 2-52 are pending in this application. By this Amendment, claims 2, 9, 18, 26, 35, and 51 are amended. Support for the amendment is found in the specification. No new matter is added.

This reply is submitted as a complete response to the outstanding Office Action. Reconsideration of the application in view of the above amendments and following remarks is respectfully requested.

### MATTERS OF FORM

The Office Action objects to claims 2 and 51 for mis-numbering. Applicants have amended the claims to obviate this objection.

### PATENTABLE SUBJECT MATTER

The Office Action rejects claims 2-52 under 35 U.S.C. § 102(e) over Ginter et al. (U.S. Patent No. 5,892,900). This rejection is respectfully traversed.

Applicants' independent claim 18 recites a data distribution method in a network having a plurality of connected nodes for suitable distributing any content as a transactable product, comprising, sending through the network a data package (information package), having the content as a transactable product, for which a

boundary is set relating to a predetermined attribute for the transaction and data relating to the transaction, and which the data package includes the data relating to the transaction, and information which defines a predetermined attribute of said data relating to the transaction, supplying the data package through the network by a data server means, receiving the data package by a data utilization means connected to at least one node on the network, substantially acquiring at least the content according to said boundary, and carrying out predetermined processing relating to the transaction based on the information of the predetermined attribute for the transaction of the content each time the content delineated by the boundary is newly substantially acquired by the data utilization means.

Applicants' independent claim 35 recites a computer readable recording medium which a data package for distribution of any content as a product for transaction in a network having a plurality of nodes are connected is recorded and which can be read by a computer substantially connected to the network, the data package comprising, any content for which a boundary is set relating to a predetermined attribute for the transaction and a data relating to the transaction, and which the data package includes the data relating to the transaction and an information of said predetermined attribute which defines the predetermined attribute of said data, and information relating to the control for utilization of the content.

Applicants' independent claim 52 recites a network system for suitably distributing any content as transactable product, comprising, one or more data server means, data utilization means, and transaction management means comprised on the network, wherein said data server means and utilization means transmit and receive

through the network a data package for which a boundary is set in accordance with an attribute for a transaction and a data relating to the transaction, and which the data package includes the data relating to the transaction and an attribute data which defines the attribute of said data relating to the transaction, said data server means supply through the network the data package which includes data of said content as said data relating to the transaction, said data utilization means receive the supplied data package, and substantially acquire said data of said content according to said boundary, and said transaction management means performs processing relating to the transaction on the basis of said attribute data every time said data package is received by said data server means or said data utilization means.

Ginter et al. describes a logical object structure 800 which may include a "private body" 806 containing or referencing a set of methods 1000 (i.e., programs or procedures) that control use and distribution of the object 300. The ability to optionally incorporate different methods 1000 with each object is important to making virtual distribution environments (VDE) 100 highly configurable. See col. 137, line 20 - col. 136, line 8. Methods 1000 perform the basic function of defining what users (including, where appropriate, distributors, client administrators, etc.), can and cannot do with an object 300.

Beginning at col. 137, line 52, Ginter et al. discloses a "traveling object" structure. See also Fig. 19. The traveling object structure 860 includes a permissions record (PERC) 808 within a private header 804. The traveling objects also include key blocks 810. The PERCs 808 may contain or reference budget records for use with a VDE. A budget VDE itself may stipulate one or more classes of objects it may be used with, while an object may specifically reference a certain one or more generic budget. Under such circumstances,

VDE providers will typically make information available in such a manner as to allow correct referencing and to enable billing handling and resulting payments. See col. 137, line 51 - col. 138, line 42, for example.

A traveling object contains a permissions record 808 that preferably provides at least some budget (one, the other, or both, in a general case). Permission records 808 can, as discussed above, contain a key block 810 storing important key information. PERC 808 may also contain or refer to budgets containing potentially valuable quantities/values. Such budgets may be stored within a traveling object itself, or they may be delivered separately. See col. 139, line 66 - col. 140, line 9, for example. Traveling objects can come in a container which contains other objects. For example, a traveling object container can include one or more content objects and one or more administrative objects for registering the content object. See col. 140, lines 63-65, for example. Administrative objects generally contain permissions, administrative control information, computer software, and/or methods associated with the operation of VDE 100. See col. 141, lines 35-43, for example.

However, despite Ginter's traveling object features, Ginter does not provide any discussion or suggestion relating to "setting the boundary" of the data package according to the attribute for the transaction and the data relating to the transaction. That is, Ginter's boundary is only set to the data relating to the transaction and not also to attribute for the transaction. Therefore, Ginter's boundary does not contemplate the attribute for the transaction as a metric for determining a boundary. Rather, Ginter is limited to a "static" boundary.

Thus, notwithstanding the Office Action's assertion that Ginter discloses various features of the Applicants' invention, Applicants respectfully submit that Ginter does not disclose or suggest at least this above-discussed feature. Accordingly, Applicants respectfully submit that Ginter does not disclose or suggest all the claimed features of Applicants' invention.

Claims 2-17 depend from claim 52, claims 19-34 depend from claim 18 and claims 36-51 depend from claim 35. Accordingly, for at least the above reasons, Applicants respectfully request the withdrawal of this rejection.

#### CONCLUSION

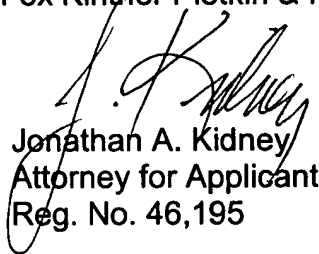
In view of the above remarks, Applicants respectfully submit that this application is in condition for allowance. Favorable consideration and prompt allowance of claims is earnestly solicited. Should the Examiner believe anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

In the event this paper is not considered to be timely filed, Applicants respectfully petition for an appropriate extension of time. The Commissioner is authorized to charge

payment for any additional fees which may be required with respect to this paper to  
Counsel's Deposit Account 01-2300, referring to client-matter number 103203-08003.

Respectfully submitted,

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Enclosures: Marked-Up Copy of Amended Claims

**MARKED-UP COPY OF AMENDED CLAIMS**

2. (Twice Amended) A network system as set forth in claim [51] 52, wherein:  
the boundary set for said data package includes a boundary relating to charging  
for a transaction of said content,  
said information of said predetermined attribute included in the data package  
includes information relating to charging for said content, and  
said transaction management means has a charging processing means for  
carrying out processing based on said information relating to charging every time  
content delineated by said boundary is newly substantially acquired by said data  
utilization means.

9. (Once Amended) A network system as set forth in claim 8, wherein the  
substantial acquisition of said content in said data utilization means includes acquisition  
of said data package and use of said content based on information relating to control  
for utilization of said content included in said attribute data.

18. (Twice Amended) A data distribution method in a network having a plurality  
of connected nodes for suitable distributing any content as a transactable product,  
comprising:

sending through the network a data package (information package), having the  
content as a transactable product, for which a boundary is set relating to a  
predetermined attribute for the transaction and data relating to the transaction, and  
which the data package includes the data relating to the transaction, [and information  
relating to the control for utilization of the content,] and information which defines a  
predetermined attribute of said data relating to the transaction,

supplying the data package through the network by a data server means,  
receiving the data package by a data utilization means connected to at least one node on the network, substantially acquiring at least the content according to said boundary, and

carrying out predetermined processing relating to the transaction based on the information of the predetermined attribute for the transaction of the content each time the content delineated by the boundary is newly substantially acquired by the data utilization means.

26. (Once Amended) A data distribution method as set forth in claim 25, wherein the substantial acquisition of said content in said data utilization means includes acquisition of said data package and use of said content based on information relating to control for utilization of said content included in said data package.

35. (Twice Amended) A computer readable recording medium which a data package for distribution of any content as a product for transaction in a network having a plurality of nodes are connected is recorded and which can be read by a computer substantially connected to the network, the data package comprising:

any content for which a boundary is set relating to a predetermined attribute for the transaction and a data relating to the transaction, and which the data package includes [a] the data relating to the transaction and an information of said predetermined attribute which defines the predetermined attribute of said data, and information relating to the control for utilization of the content.

[51] 52. (Once Amended) A network system for suitably distributing any content as transactable product, comprising:



one or more data server means, data utilization means, and transaction management means comprised on the network, wherein

said data server means and utilization means transmit and receive through the network a data package for which a boundary is set in accordance with an attribute for a transaction and a data relating to the transaction, and which the data package includes [a] the data relating to the transaction and an attribute data [relating to the transaction] which defines the attribute of said data relating to the transaction,

said data server means supply through the network the data package which includes data of said content as said data relating to the transaction,

said data utilization means receive the supplied data package, and substantially acquire said data of said content according to said boundary, and

said transaction management means performs processing relating to the transaction on the basis of said attribute data every time said data package is received by said data server means or said data utilization means.